

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

JOHN ROBERT LEIDECKER, #66326-004

PETITIONER

VERSUS

CIVIL ACTION NO. 5:07cv19DCB-MTP
APPEAL NO. 07-60538

CONSTANCE REESE

RESPONDENT

ORDER

A notice of appeal having been filed in the captioned habeas corpus case filed pursuant to 28 U.S.C. § 2241, considering the record in the case and the requirements of 28 U.S.C. § 2253 and Rule 22(b) of the Federal Rules of Appellate Procedure, hereby finds that:

The petitioner's motion for a certification of appealability [#15] is **denied** since it is not required to appeal a habeas filed pursuant to 28 U.S.C. § 2241. See Ojo v. I.N.S., 106 F.3d 680 (5th Cir. 1997).

The petitioner's application for leave to proceed in forma pauperis on appeal to the United States Court of Appeals for the Fifth Circuit [#18] is **granted**.

SO ORDERED, this the 31st day of July, 2007.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE